

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

FACSIMILE

Date: October 29, 2004

Time Sent:

To:	Company:	Facsimile No:	Telephone No:
Examiner	U.S. Patent & Trademark Office	(571) 273-1655	(571) 272-1655
From:	Arthur J. Steiner	Direct Phone:	(202) 756-8605
E-Mail:	asteiner@MWE.com		
Sent By:	L. Renee Douglas	Direct Phone:	202-756-8393
Client/Matter/Tkpr:	65933-044	Original to Follow by Mail:	No
		Number of Pages, Including Cover:	4
Re:	Serial No. 10/664,875		

Message:

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.

Main Facsimile: 202.756.8087 Facsimile Operator: 202.756.8090

U.S. practice conducted through McDermott Will & Emery LLP.
600 Thirteenth Street, N.W. Washington, D.C. 20005-3096

Telephone: 202.756.8000

Applicant: Naoferu MATSUBARA, et al. Docket No. 65933-044 Serial/Reg. Patent No. 10/664,875

Title: SEMICONDUCTOR DEVICE INCLUDING INTERCONNECTS FORMED BY DAMASCENE PROCESS AND MANUFACTURING METHOD THEREOF

Date Sent: 8/12/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ First Class Mail ☐ Express Mail No.

☐ Transmittal Letter

☐ New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

Other: ☐ Letter submitting pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment Letter

☐ Req. for Acknowledgment of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for years after grant

☐ Fee Address Indication Form

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other

☐ Small Entity ☐ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☐ Information Disclosure Statement

☐ Form PTO 1449

☐ copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

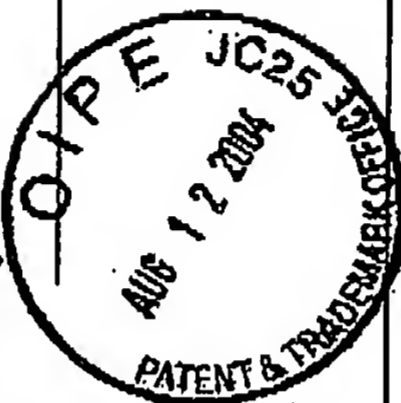
☒ Response/Amendment to Office Action of July 14, 2004

☐ Request for month Extension of Time

Check for \$	<input type="checkbox"/> Charge Deposit Accl 5004178	Atty Init.	AJS	Tkpr. #	4236	Secy. or PL	NBelt
--------------	--	------------	-----	---------	------	-------------	-------

CMS Design:

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.



Docket No.: 65933-044

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Naoteru MATSUBARA, et al.	:	Confirmation Number: 4231
	:	
Serial No.: 10/664,875	:	Group Art Unit: 2811
	:	
Filed: September 22, 2003	:	Examiner: J. Im
	:	
For: SEMICONDUCTOR DEVICE INCLUDING INTERCONNECTS FORMED BY DAMASCENE PROCESS AND MANUFACTURING METHOD THEREOF		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated July 14, 2004, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

- Group I. Claims 1 through 5, directed a semiconductor device; or
- Group II. Claims 6 through 17, directed to a method.

In response Applicants elect to process device claims 1 through 5 (Group I). Favorable consideration of claims 1 through 5 is solicited. Applicants further solicit rejoinder of non-elected method claims 6 through 17, upon the determination of an allowable device claim, pursuant to the provisions of MPEP§821.04.

WDC99 962809-1.065933.0044

10/664,875

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 AJS:ntb
Facsimile: 202.756.8087
Date: August 12, 2004